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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,000	12/21/2000	John Dawson	BEV9	2939

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EXAMINER

NGUYEN, TRINH T

ART UNIT

PAPER NUMBER

3726

DATE MAILED: 10/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/747,000

Applicant(s)

DAWSON, JOHN

Examiner

Trinh T Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on Election dated 7/12/02.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 4,5,14-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-13,20 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I, claims 1-3, 6-13, 20, and 21 in Paper No. 4 is acknowledged. It is noted that the election has been treated as an election without traverse since applicant did not distinctly and specifically point out the supposed errors in the restriction requirement.

Claims 4, ⁵~~4~~, and 14-19 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-3, 6-13, 20, and 21, as best understood, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1: the phrases "the end-lengths", "the pipe's mechanical and fluid pressure ratings", "the pipe wall", "the desired final dimensions" lack proper antecedent basis.

In claim 2: the phrases "the outer pipe wall", "the original pipe outermost diameter", "the desired final box dimensions" lack proper antecedent basis.

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In claim 3: the phrases "the outer wall of the pipe", "the pipe bore", "the original pipe innermost diameter", "the desired final pin dimensions" lack proper antecedent basis.

In claim 10: the phrases "the outer diameter" and "the pipe end" lack proper antecedent basis.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1, 3, 10-13, and 21, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Reed et al. (Us 6,024,646).

Reed et al. disclose a method of making an end-length of plain-end pipe by machining an end-length to a desired first configuration, swaging the first configuration to a desired second configuration, swaging the second configuration to a desired third configuration, and then machining the end-length to a desired final dimensions (see

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lines 63-67 of col. 3, lines 1-64 of col. 4). Noted that Reed et al.'s pin is being machined, then swaged inwardly, and then machined again to provide a desired final dimensions. Noted that Reed et al.'s method further disclose a substantially conical surface (77, 57, 59 of Figure 5) extending substantially from the pipe outer diameter and reducing in diameter toward the pipe end" and a second annular surface (73) positioned intermediate the conical surface and the pipe end. Furthermore, it is noted that Reed et al.'s second surface can be considered as having either a substantially cylindrical, conical, or curved. Also, Reed et al. disclose the pin (12) being swaged by forcing a suitable annular swaging tool (60) axially around the outer configuration.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 6-9, and 20, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed et al. (Us 6,024,646) in view of Bollfrass et al. (US 4,373,754).

As described above, Reed et al. disclose the claimed invention except for 1) manufacturing a box by cutting a counterbore of predetermined length so as to provide a desired inner configuration, 2) swaging outwardly by using a swaging mandrel to create a configuration having larger dimension than the original configuration, 3) machining the end-length of the box to a desired final dimensions, and 4) a substantially

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conical surface extending substantially from the pipe bore and increasing in diameter toward the pipe end and a second annular surface positioned intermediate the conical surface and the pipe end.

Regarding 1), with respect to the specific technique of "cutting", it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of Reed et al. to have included a use of any known cutting technique to cut a counterbore of a box length, since such specific technique is well known and equivalent technique used throughout the metal forming arts.

Regarding 2), Bollfrass et al. teach that it is old to swage a box (122) outwardly so as to create a configuration with a larger dimension than the original configuration, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of Reed et al. to swage the box outwardly, in a similar manner taught in Bollfrass et al., in order to manufacture a box in a more efficient manner and thus would reduce the overall manufacturing cost. With respect to the use of a swaging mandrel, an Official Notice is taken that the concept of using a swaging mandrel to perform a swaging procedure is old and well known technique commonly used throughout the art of metal deforming. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used a swaging mandrel to swage the box, in light of the Official Notice taken, in order to optimize the swaging procedure and thus reduce the overall manufacturing cost.

Regarding 3), it is noted that Reed et al.'s manufacturing method teach a plurality of machining steps of a pin member (a male end of a pipe). Also, it is noted that both

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the pin and box members have similar structural dimensions (namely pipe end sections) as well as material (namely metal). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the same machining steps to machine either a pin or a box member (a female end of a pipe), in order to shape the members into a desirable configuration.

Regarding 4), it is noted that Bollfrass et al.'s box (122 of Figure 2) have a substantially conical surface (in the area of 112a and 124a) extending substantially from the pipe bore and increasing in diameter toward the pipe end and a second annular surface (in the area of 116 and 128) positioned intermediate the conical surface and the pipe end. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the box of Reed et al. to have included a substantially conical surface extending substantially from the pipe bore and increasing in diameter toward the pipe end and a second annular surface positioned intermediate the conical surface and the pipe end, such as one taught in Bollfrass et al., in order to provide a more efficient metal-to-metal sealing surface between the box and the pin.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure and are cited on form PTO-892 encloses herewith.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trinh T Nguyen whose telephone number is (703) 306-9082. The examiner can normally be reached on M-F (9:30 A.M to 6:00 P.M).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Vidovich can be reached on (703) 308-1148. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3579 for regular communications and (703) 305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

ttn
September 29, 2002


GREGORY M. VIDOVIK
PRIMARY EXAMINER